

1 THE LAW OFFICE OF MACE J. YAMPOLSKY  
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7 *Attorney for Defendant*

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA	)	Case No. 2:21-cr-00181-GMN-DJA
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>SENTENCING (Second Request)</b>
vs.	)	
	)	
OMONIYI JOHNATHAN OMOTERE,	)	
	)	
Defendant.	)	
	)	

IT IS HEREBY STIPULATED AND AGREED by and between Jason M. Frierson, United States Attorney, by and through Kimberly Frayn, Assistant United States Attorney, and Mace Yampolsky, Esq., counsel for Defendant Omoniyi Johnathan Omotere, that the sentencing in above-captioned matter be continued and rescheduled for a period of 30 days.

This Stipulation is entered into for the following reasons:

1. Counsel for the Defendant was appointed to represent the Defendant on September 14, 2022.
  2. The government needs time to present this case to the 5K 1 Committee.
  3. The Defendant is out of custody, and does not object to the continuance.
  4. The parties agree to the continuance.
  5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time within which adequately prepare for the sentencing hearing.
- Additionally, denial of this request for continuance could result in a miscarriage of justice, and

1 the ends of justice served by granting this request, outweigh the best interest of the public and  
2 the defendant in a speedy sentencing hearing.

3 6. This is the second stipulation to continue the hearing.  
4

5 DATED this 28<sup>th</sup> day of May, 2024.

6 THE LAW OFFICE OF MACE J. YAMPOLSKY

7 /s/ Mace J. Yampolsky, Esq  
8 MACE J. YAMPOLSKY, ESQ  
9 Attorney for Defendant

10 OFFICE OF THE UNITED STATES ATTORNEY

11 /s/ Kimberly Frayn  
12 KIMBERLY FRAYN  
13 Assistant United States Attorney  
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8 *Attorney for Defendant OMOTERE*

9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF NEVADA**

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12 UNITED STATES OF AMERICA	)	Case No. 2:21-cr-00181-GMN-DJA
	)	
13 Plaintiff,	)	FINDINGS OF FACT, CONCLUSIONS OF
	)	LAW AND ORDER
14 vs.	)	
	)	
15 OMONIYI JOHNATHAN OMOTERE,	)	
	)	
16 Defendant.	)	
_____	)	

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court  
19 finds that:

- 20 1.A date not earlier than 30 days from the presently scheduled hearing is  
21 appropriate.
- 22 2. The government needs time to present this case to the 5K 1 Committee.
- 23 3. The Defendant is out of custody, and does not object to the continuance.
- 24 4.The additional time requested herein is not sought for purposes of delay,  
25 but merely to allow the parties sufficient time within which adequately prepare for the  
26 sentencing hearing. Additionally, denial of this request for continuance could result in a  
27 miscarriage of justice, and the ends of justice served by granting this request, outweigh  
the best interest of the public and the defendant in a speedy sentencing hearing.

5. This is the second stipulation to continue the hearing.

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**ORDER**

IT IS THEREFORE ORDERED that the sentencing in the above-captioned matter, currently scheduled for June 10, 2024, at 9:00 a.m. be vacated and continued for a period of at least 30 days.

  
DISTRICT COURT JUDGE

Sentencing in this matter is now set for: July 9, 2024 at 11:00 a.m.